

REMARKS

This application has been reviewed in light of the Office Action dated November 19, 2008. Claims 1, 3, 5, 9-11, 13, 15 and 19-22 are presented for examination, of which Claims 1, 11, 21 and 22 are in independent form. Claims 1, 11, 21 and 22 have been amended as to matters of form. No change in scope is either intended or believed effected by these changes. Favorable reconsideration is requested.

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons set forth in paragraphs 9-11 of the Office Action. With respect to the rejection in paragraph 9 of the Office Action, Applicant has replaced the term “capable of” with -for-. With respect to the rejection in paragraph 11 of the Office Action, Applicant has replaced the term “of” with --when--. Accordingly, Applicant respectfully requests withdrawal of these rejections.

As to the rejection in paragraph 10 of the Office Action, Applicant respectfully traverses the rejection. In particular, Applicant respectfully submits that Claim 1 does not lack utility in view of the cited recitation “a communication controlling unit configured to issue a notification to an external apparatus when said determination unit determines that one of the first device identification information and the second device identification information is being managed and the other is not being managed and not to issue a notification to the external apparatus when said determination unit determines that neither one of the first device identification information and the second device identification information is being managed, the external apparatus being capable of receiving the notification through a predetermined communications line and managing a plurality of information processing apparatuses.” A

reading of the communication controlling unit as a whole makes clear the meaning and utility of the recitation, i.e., that a notification is issued to an external apparatus if one of the first device identification information and the second device identification information is being managed, and a notification is not issued to an external apparatus if neither one of the first device identification information and the second device identification information is being managed. That is, a notification is issued under one condition, but not under another condition.

Accordingly, Applicant respectfully requests withdrawal of the rejection under Section 112.

Claims 1, 3, 5, 9-11, 13, 15 and 19-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0029474 A1 (Yada) in view of U.S. Patent Application Publication No. 2003/0093521 A1 (Schlonski et al.).

Applicant respectfully traverses this rejection.

Claim 1 is directed to an information processing apparatus that manages a predetermined device for performing communication over a network. The apparatus includes: (1) a holding unit configured to hold corresponding information corresponding to first device identification information and second device identification information; (2) an obtaining unit configured to obtain accounting information based on an image forming operation from the predetermined device; (3) a determination unit configured to compare a combination of the first device identification information and the second device identification information which are obtained from the predetermined device with the corresponding information held by the holding unit, and determine whether or not at least one of the first device identification information and the second device identification information is being managed; (4) a communication controlling unit configured to issue a notification to an external apparatus when the determination unit

determines that one of the first device identification information and the second device identification information is being managed and the other is not being managed and not to issue a notification to the external apparatus when the determination unit determines that neither one of the first device identification information and the second device identification information is being managed, the external apparatus being capable of receiving the notification through a predetermined communications line and managing a plurality of information processing apparatuses; and (5) an updating unit configured to update the corresponding information held by said holding unit in accordance with an update notification, for updating the combination of the first device identification information and the second device identification information, from the external apparatus. The notification issued by the communication controlling unit includes information indicating that either the first device identification information or the second device identification information is not being managed. Also, the communication controlling unit restricts issuing the accounting information obtained from the predetermined device by the obtaining unit to the external apparatus if the determination unit determines either the first device identification information or the second device identification information is not being managed, and removes the restriction and issues the accounting information obtained by the obtaining unit to the external apparatus when the corresponding information is updated by the updating unit.

Yada relates to an asset management system that analyzes a communication log to determine whether the MAC address and the IP address are those of an asset being managed or not. When the addresses are not those of an asset being managed, an alarm notification that the asset should be registered in the asset management register master is provided. However, Applicant has found nothing in Yada that would teach or suggest "a determination unit

configured to compare a combination of the first device identification information and the second device identification information which are obtained from the predetermined device with the corresponding information held by said holding unit, and determine whether or not at least one of the first device identification information and the second device identification information is being managed," as recited in Claim 1.

The Office Action cites paragraphs [0011] and [0062] as disclosing this feature. Applicant respectfully disagrees. Paragraph [0011] merely discusses comparing gathered management information with storage contents, and when the management information and storage contents are not the same, updating the storage contents by the gathered management information. Paragraph [0062] merely discusses determining whether the MAC address and the IP address are those of an asset being managed or not. However, this is quite different from comparing a combination of the first device identification information and the second device identification information which are obtained from the predetermined device with the corresponding information held by said holding unit (which the Office Action admits is not disclosed in Yada), and determining whether or not at least one of the first device identification information and the second device identification information is being managed, as recited in Claim 1.

Applicant also respectfully disagrees with the assertion in the Office Action that paragraph [0062] of Yada discloses the communication control unit of Claim 1. Paragraph [0062] states that "[w]hen the addresses [i.e., IP address and MAC address] are not those of an asset being managed, an alarm notification that the asset should be registered is provided to the administrator. It does not teach or suggest issuing a notification to an external apparatus when

the determination unit determines that one of the first device identification information and the second device identification information is being managed and the other is not being managed and not to issue a notification to the external apparatus when said determination unit determines that neither one of the first device identification information and the second device identification information is being managed, as recited in Claim 1.

The Office Action cites [0062] of Yada as disclosing that the communication controlling unit restricts issuing the accounting information obtained from the predetermined device by the obtaining unit to the external apparatus if said determination unit determines either the first device identification information or the second device identification information is not being managed, and removes the restriction and issues the accounting information obtained by said obtaining unit to the external apparatus when the corresponding information is updated by said updating unit. Applicant respectfully disagrees. Nothing in paragraph [0062] even hints of issuing of accounting information obtained by the obtaining unit (which the Office Action acknowledges is not disclosed in Yada) if it is determined that either the first device identification information or the second device identification information is not being managed.

Applicant also disagrees that this feature is obvious from Figure 6 of Schlonski as suggested on page 4 of the Office Action since that figure merely depicts a screen displaying a fault history of an asset.

Accordingly, Applicant submits that Claim 1 is patentable over Yada and Schlonski, whether considered separately or in any permissible combination (if any).

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference

against Claim 1.

Independent Claims 11, 21 and 22 are method, computer program and recording medium claims, respectively, corresponding to apparatus Claim 1, and are believed to be patentable the cited prior art for at least the same reasons as discussed above in connection with Claim 1.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Jennifer A. Reda/
Jennifer A. Reda
Attorney for Applicant
Registration No.: 57,840

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200